

# EXHIBIT 26

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**STATE OF MARYLAND; STATE OF  
DELAWARE; STATE OF CALIFORNIA; STATE  
OF COLORADO; STATE OF ARIZONA; STATE  
OF CONNECTICUT; DISTRICT OF  
COLUMBIA, STATE OF HAWAII; STATE OF  
ILLINOIS; OFFICE OF THE GOVERNOR *ex rel.*  
Andy Beshear, in his official capacity as Governor  
of the COMMONWEALTH OF KENTUCKY;  
STATE OF MAINE; COMMONWEALTH OF  
MASSACHUSETTS; PEOPLE OF THE STATE  
OF MICHIGAN; STATE OF MINNESOTA;  
STATE OF NEVADA; STATE OF NEW JERSEY;  
STATE OF NEW MEXICO; STATE OF NEW  
YORK; STATE OF NORTH CAROLINA; STATE  
OF OREGON; JOSH SHAPIRO, in his official  
capacity as Governor of the COMMONWEALTH  
OF PENNSYLVANIA; STATE OF RHODE  
ISLAND; STATE OF VERMONT; STATE OF  
WASHINGTON; STATE OF WISCONSIN;**

**Plaintiffs,**

**v.**

**CORPORATION FOR NATIONAL AND  
COMMUNITY SERVICE, operating as  
AmeriCorps; and JENNIFER BASTRESS  
TAHMASEBI, in her official capacity as Interim  
Head of the Corporation for National and  
Community Service;**

**Defendants.**

**C.A. No. 1:25-cv-XX**

**DECLARATION OF ANNA HOTZ**

Pursuant to 28 U.S.C. § 1746, I, Anna Hotz, hereby declare as follows:

1. I am a resident of the State of Minnesota. I am over the age of 18 and have personal knowledge of all the facts stated herein, including as based on my experience and information provided to me. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by the State of Minnesota, at the Minnesota Pollution Control Agency (MPCA) as the Assistant Division Director of the Resource Management and Assistance Division.

3. The Resource Management and Assistance Division has administered the Minnesota (MN) GreenCorps program for 16 consecutive program years. I am delegated by the Commissioner of MPCA to sign grant agreements, host site agreements, and member agreements; I manage the division's budget and ensure matching funds are available and accessible; and, I support program staff.

4. Currently, the MPCA administers the Minnesota GreenCorps program, which was an AmeriCorps program until April 25, 2025 when it was abruptly, and without notice, terminated by the federal administration. MN GreenCorps was a subgrantee of ServeMinnesota, the state commission overseeing AmeriCorps programs in Minnesota.

5. On April 21, 2025, MPCA became aware, via an America's Service Commission call, that approximately 85 percent of AmeriCorps agency staff were placed on administrative leave. On April 25, 2025, we were informed those on administrative leave were issued layoff notices with an effective date of June 24, 2025. With this action, we were informed AmeriCorps agency staffing was decreasing from approximately 650 staff to approximately 150 staff.

6. At about 8:30 p.m. on Friday April 25, 2025, MPCA/MN GreenCorps received a notification that AmeriCorps had terminated our grant and to immediately stop all award and member activities. The termination notice ended a three-year, \$998,858 annual, competitive grant in the first year of implementation. We were later directed to exit all members from AmeriCorps service, with an exit date of May 2, 2025.

7. The termination notices, which were sent without any warning, caused significant confusion and chaos, uprooting the lives of members and key community services for Minnesota.

8. Termination of these AmeriCorps programs has a significant impact on the State of Minnesota.

- a. AmeriCorps Members: The termination of the MN GreenCorps grant affected a total of 52 members in the program in Minnesota, all serving full time at their respective host sites in an 11-month term representing a total of 1700 service hours per member. 27 of these members receive healthcare benefits through Corps Network. As AmeriCorps members are not deemed employees, they would not be eligible to get COBRA benefits and coverage would end on May 31, 2025, nor are members eligible for unemployment benefits. Under the grant, these members receive \$1,150 biweekly stipends. They also receive other benefits such as student loan forbearance, payment of student loan interest accrued, and childcare assistance.
- b. AmeriCorps-Funded Staff: These terminations potentially affect at least five full-time staff at the Minnesota Pollution Control Agency who administers MN GreenCorps.



- c. Programs Directly Supporting State and Local Governments, Tribal Governments, Non-profit organizations and educational institutions: MN GreenCorps provides services to address critical environmental issues and help communities build resiliency across the state. They serve at local governments, Tribal nations, non-profit organizations and educational institutions in metropolitan and rural areas of that state. Every year MN GreenCorps members educate over 10,000 individuals on environmental best practices, improve over 75 acres of public land, assess 100 buildings for energy efficiency, mobilize over 500 volunteers, and divert 150 tons of waste from disposal. Our estimated return on investment value of these services is up to \$34 per dollar spent.

9. The lack of communications and staffing has placed the future of all Minnesota AmeriCorps programs in jeopardy. If AmeriCorps staff is unable to take timely action on these matters, there would be irreparable harm for our program as it may require programs to stop providing services due to funding delays and uncertainty.

- a. Drawdown Approval Delays: The remaining available funds for reimbursement this year our grants total over \$735,000. Significant delays in the reimbursement of program expenses could disrupt the ability to fund members and staff salaries. In which case, AmeriCorps members would lose their living stipend and would only get a percentage of their educational award.
- b. Grant Review and Approval:

- i. AmeriCorps Competitive Grants: In December 2024, we applied for continuation for year two of our three-year AmeriCorps Competitive grant. In prior years, to ensure that programs have sufficient time to recruit and enroll members, enter into contractual arrangements, and seek approval by the appropriate State Commission, AmeriCorps has issued their decisions in mid to late April. This allows grantees that are not selected through AmeriCorps' Competitive process to apply for the State's AmeriCorps Formula Grants. Grants must be approved in order to assure a start date of September 2025 so there is no gap for recurring programs (the grant period is September-August).
- ii. Delays and Chilling Effect on Recruitment. Delays in the review and approval of grants will impact our ability to continue programs beyond the current program year. Due to the current reductions in AmeriCorps staff, unexpected termination notices, and uncertainty about future funding, we are unable to realistically plan for future operations. Our program needs to advertise for members positions in May to ensure sufficient staffing and member enrollment to begin in September. The recent news about termination of AmeriCorps members, AmeriCorps NCCC and AmeriCorps VISTA members will certainly have a chilling effect for prospective members as AmeriCorps will not be viewed as a reliable or safe source for service opportunities. Successful recruitment of potential members

and service sites for the next grant year is in peril. Our programs cannot continue if we do not have sufficient members to provide the services.

- c. National Service Trust Transaction Delays: We have a significant Approximately 75% of current GreenCorps members rely on the National Service Trust to process tuition payments, educational loan payments, and forbearance interest payments when service concludes. As a result of the massive number of members who were recently terminated and due to the reduced number of staff who are processing these transactions, we expect significant delays in executing these transactions. The financial impact of these delays could destroy a member's credit worthiness and place them in need of financial assistance by the State.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct.

Executed on 5/5/2025

A handwritten signature in black ink, appearing to read "Anna M. Hertz", written over a horizontal line.